

Remarks

Claims 1-20 are pending in the application, with claims 1 and 16 being the independent claims.

Based on the present Amendment and the following Remarks, Applicants respectfully request that the Examiner reconsider all outstanding rejections and that they be withdrawn.

Initially, the Applicants would like to thank Exr. Dole for the courtesies extended to the Applicants' Representative during the Interview of January 22, 2004. Attached hereto is an Applicants' Statement of the Substance of the Interview, as required by the Interview Summary mailed January 27, 2004.

Rejections under 35 U.S.C. § 102

Claims 1-7, 12, 13, 16, 17 and 19 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 4,707,652 to Lowitz ("Lowitz").

1. Lowitz fails to disclose establishing and maintaining a microwave field in a microwave resonator.

Claim 1 has been amended to recite "establishing and maintaining a microwave field in a microwave resonator," and claim 16 has been amended to recite "means for establishing and maintaining a microwave field in a microwave resonator."

Lowitz clearly does not teach the use of a microwave resonator. U.S. Patent 6,163,158 to Moeller may disclose a microwave resonator. However, one skilled in the art would not combine the teachings of Moeller and Lowitz. Lowitz uses scattered radiation, which is not and could not be present in a microwave resonator.

2. Lowitz fails to teach "selecting an acceptable, two dimensional value range for the actual values."

Claim 1 recites: “selecting an acceptable, two dimensional value range for the actual values”, and claim 16 recites “means for selecting an acceptable, two dimensional value range for the actual values.” As discussed during the interview of January 22, 2004, Applicants maintain that Lowitz fails to teach this feature.

A two dimensional acceptable range as stated in claims 1 and 16 is an area spanned by the measurement values as shown in Fig. 7 of the present application. To evaluate whether or not an actual pair of measurement values is within the two dimensional acceptable value range, one has to proceed as described on page 34, line 19 to page 35, line 12. For example, T is the two dimensional value range of Fig. 7.

The method disclosed by Lowitz seems to generate an impurity warning when one of several measurement values deviates from a standard. Thus, the value is a single point, i.e., the value is not two dimensional. Even if the method of Lowitz generates the impurity warning only when each of the measurement values deviates from its standard value, the area of acceptable values is a pair of crossing lines, which is one dimensional.

Rejections under 35 U.S.C. § 103

Claims 8, 14, 15 and 20 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Lowitz in view of U.S. Patent No. 6,163,158 to Moeller (“Moeller”).

Claims 8, 14 and 15 depend from claim 1, and claim 20 depends from claim 16. Moeller fails to cure the deficiency of the rejections of claims 1 and 16, discussed above. As such, claims 8, 14, 15 and 20 are allowable as depending from an allowable claim.

Claims 9-11 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lowitz in view of U.S. Patent No. 5,476,108 to Dominguez et al. Claims 9-11 depend from claim 1, and claim 18 depends from claim 16. Dominguez fails to cure the deficiency of the rejections of claims 1 and 16, discussed above. As such, claims 9-11 and 18 are allowable as depending from an allowable claim.

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Conclusion

All of the stated grounds of rejections have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is hereby invited to telephone the undersigned at the number provided.

A Notice of Allowance with claims 1-20 is respectfully requested.

Respectfully submitted,

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